

July 13, 2005

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, July 13, 2005, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1  
CHARLES W. AHREND, Election District #2  
DEE E. FLOYD, Election District #3  
MICHAEL A. BREEDEN, Election District #5

WILLIAM B. KYGER, JR., Election District #4 was absent.

Also present:

JOSEPH S. PAXTON, County Administrator  
G. CHRIS BROWN, County Attorney  
STEPHEN G. KING, Deputy County Administrator  
JAMES L. ALLMENDINGER, Director of Finance  
PHILIP S. RHODES, Engineering Technician  
RHONDA G. HENDERSON, Director of Planning  
FRANKLIN P. O'BYRNE, Director of Information Systems  
STEPHEN R. RIDDLEBARGER, Director of Human Resources  
DIANA C. STULTZ, Zoning Administrator  
WILLIAM L. VAUGHN, Director of Community Development  
ROBERT A. SYMONS, Fire & Rescue Chief  
DOTTIE L. BOWEN, Deputy Clerk  
DONALD F. KOMARA, Resident Engineer  
Virginia Department of Transportation

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**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**  
**INVOCATION.**

Chairman Cuevas called the meeting to order at 3:00 p.m.

Director of Community Development Vaughn led the Pledge of Allegiance and Supervisor Floyd gave the Invocation.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Ahrend, seconded by Supervisor Floyd and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the minutes of the Regular Meeting held on June 22, 2005.

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**TRANSPORTATION DEPARTMENT.**

The Board heard Mr. Komara's report on the activities of the Transportation Department.

Supervisor Ahrend advised that a citizen on Stoney Branch Road, Route 731, would like to know the status of that project. Mr. Komara will respond when he has looked into this question.

Mr. Komara agreed to meet with Supervisor Breeden to look at the intersection of Routes 728 and 729 on July 29.

Supervisor Breeden expressed concerns about through traffic on Bloomer Springs Road. Mr. Komara will look into the matter.

Supervisor Breeden noted that, when work was completed on the east and west sides of Island Ford Road, a hump was left in the road. Mr. Komara advised that it would be corrected.

Supervisor Floyd asked about the striping on Route 689 at the intersection going onto Port Republic Road. Mr. Komara said there was an issue concerning the center lane and it would be corrected and the striping would be corrected at that time.

There was a discussion concerning the status of the funding for Route 820. Mr. Paxton will look into the matter.

There was a discussion regarding changes in the method of funding in the Rural Addition Program. Mr. Paxton suggested that the Board may want to consider requesting legislative changes in its requests to the General Assembly.

Supervisor Cuevas noted that he received a copy of a letter, with signatures, sent to Mr. Komara from residents on Route 619 asking to be considered on the Six Year Plan. He asked that Mr. Komara keep the request on file for consideration at the proper time.

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## CHANGES TO THE SECONDARY SYSTEM.

The Board received the following notice from VDOT concerning acceptance of additions to the Secondary System of State Highways, Board of Supervisors Resolution adopted on April 13, 2005, effective May 13, 2005, and approved by the Director of the Local Assistance Division in May 2005.

Kentshire Estates  
Section 2

	<u>Route</u>	Street Termini	Length
Briarwood Ct	01017	From Broadridge Dr. to Kentshire Dr.	0.03
Briarwood Ct	01017	From Kentshire Dr. to Cul-De-Sac	0.03
Danbury Ct	01019	From Kentshire Dr. to Cul-De-Sac	0.05
Kentshire Dr	01018	From Danbury Court to Cul-De-Sac	0.03
Kentshire Dr	01018	From Briarwood Court to to Danbury Court	0.15

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## RESOLUTION 05-20.

On motion by Supervisor Ahrend, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the following resolution.

## RESOLUTION 05-20.

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated May 19<sup>th</sup>, 2005 depicting the additions, and discontinuances required in the secondary system of state highways as a result of Project 0721-082-227,C501, which sketch is hereby incorporated herein by reference,

WHEREAS, the new road serves the same citizens as those portions of old road identified to be discontinued and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road identified by the sketch to be added, a total distance of 1.365 mile, pursuant to 33.1-229, Code of Virginia, and

BE IT FURTHER RESOLVED, this Board discontinues as part of the secondary system of state highways those portions of road identified by the sketch to be

discontinued, a total distance of 0.716 mile, pursuant to 33.1-150, Code of Virginia, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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**SOCIETY OF PORT REPUBLIC PRESERVATIONISTS.**

As requested by the Society of Port Republic Preservationists, on motion by Supervisor Floyd, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board endorsed the Society's request for funding from the Shenandoah Valley Battlefields Foundation for consideration of cooperative funding for preservation of the history of the deteriorating Harrison Bateman log barn.

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**UNITED WAY - EARLY LEARNING OPPORTUNITY GRANT.**

As requested by Betsy Hay, Executive Director, United Way of Harrisonburg and Rockingham County, on motion by Supervisor Ahrend, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board designated the Success by Six Coalition of the Shenandoah Valley as the eligible Local Council for Rockingham County for the purposes of the Early Learning Opportunities Act (ELOA) discretionary grant program, authorizing the Success by Six Coalition of the Shenandoah Valley to develop and submit an application to the Administration on Children, Youth and Families, Child Care Bureau in response to the ELOA Funding Opportunity Number: HHS-2005-ACF-ACYF-LO-0028, and to administer the implementation of the project if funded; and the Board further authorized the United Way of Harrisonburg and Rockingham County to serve as the Fiscal Agent on behalf of the Success by Six Coalition of the Shenandoah Valley. The Fiscal Agent's Employer Identification Number (EIN) is 54-0632716, and this EIN has been entered in Item 6 on the Application for Federal Assistance (SF-424). As required under the statute governing ELOA, it is the County's understanding that the Success by Six Coalition of the Shenandoah Valley includes: (1) Representatives of local agencies that will be directly affected by early learning programs assisted under the ELOA and this announcement; (2) parents; (3) other individuals concerned with early learning issues in the locality, such as representatives of entities providing elementary education, child care resource and referral services, early learning opportunities, child care, and health services; and (4) other key community leaders.

The Success by Six Coalition of the Shenandoah Valley will be responsible for preparing and submitting the application for the ELOA discretionary grant program.

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**REQUEST FOR ENDORSEMENT OF THE STATE PERFORMANCE GRANT -  
HARRISONBURG-ROCKINGHAM COMMUNITY SERVICES BOARD.**

By unanimous consent, the Board deferred to a future meeting a request from the Harrisonburg-Rockingham Community Services Board for endorsement of the State Performance Grant.

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**COUNTY ADMINISTRATOR'S STAFF REPORT.**

The Board received and reviewed Mr. Paxton's staff report dated July 7, 2005, including information regarding VDOT, changes in the Victim Witness Program, space needs for Human Services, emergency services matters and the coyote containment program.

As requested by Heather Denman, Executive Director, Boys & Girls Club of Harrisonburg and Rockingham County, on motion by Supervisor Ahrend, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board carried forward \$25,000 in the previous fiscal year to the current year and deferred action on a request for an additional \$25,000.

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**COUNTY ATTORNEY'S STAFF REPORT.**

The Board received and reviewed Mr. Brown's staff report dated July 13, 2005, including information on the Aviation Technology Zone, revisions to the Economic Development Grant Program and a proposed amendment to the Zoning Ordinance.

On motion by Supervisor Breeden, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the following amendment to Chapter 7, Article XV of the Rockingham County Code necessary to establish the Bridgewater Aviation Technology Zone. Included as well is

the revised Rockingham County Economic Development Grant Program which implements the revised County Code sections.

ARTICLE XV.

TECHNOLOGY ZONES

**Sec. 7-70. Purpose.**

The county finds that the development of its industrial tax base may require the use of incentives to attract investment, and determines that the most appropriate method of offering incentives for the areas described below is to create technology zones in those areas, as authorized by section 58.1-3850 of the Code of Virginia, 1950, as amended. The board of supervisors believes that establishment of the zones will encourage further investment by business and industry currently located, or which may locate, in the county in an effort to maintain a strong viable economy, which will, in turn, benefit the welfare of the citizens of the county.  
(P.C. Ord. No. 01-13, 7-25-01)

**Sec. 7-71. Definitions.**

For the purposes of this article, the following words and phrases shall have the following meanings, unless clearly indicated to the contrary:

*Economic development policy.* The term economic development policy shall mean the policy adopted by the board of supervisors to promote technological advancement through new investments in machinery and tools and tangible personal property.

*Qualified zone business.* The term qualified zone business shall mean a business that incorporates technological advancements in the construction of or addition to facilities within the boundaries as set forth in section 7-73 in accordance with the requirements as set forth in the county's economic policy in effect at the time of the applications required in section 7-74.

*Technological advancements.* The term technological advancement shall mean those improvements in machinery and tools and tangible personal property included in new construction or additions that increase the productivity of machines and eliminate manual operations.  
(P.C. Ord. No. 01-13, 7-25-01)

**Sec. 7-72. Administration.**

The administrator of the technology zones shall be the county administrator or his designee. The administrator shall implement the economic development policy established by the board as it pertains to the benefits which accrue within each zone.  
(P.C. Ord. No. 01-13, 7-25-01)

**Sec. 7-73. Boundaries.**

(a) South Fork Technology Zone

The South Fork Technology Zone shall be located in an area of the county bounded on the north and west by the South Fork of the Shenandoah River and generally on the east and south by Island Ford Road, Berrytown Road, South Branch Road, and Eastside Highway. The zone includes the following tax map parcels (as depicted on the county official tax maps on July 6, 2001):

130(3)A	130(3)B	130(7)1
130(7)2	130(7)3	130(8)1
130(8)1A	130(8)2	130(8)3
130(8)4	130(8)5	130(8)6
130(8)7	130(8)8	130(9)1
130(9)2	130(9)2A	130(9)2A1
130(9)2A2	130(9)2B	130(9)2B1
130(9)2C	130(A)45	130(A)46
130(A)46A	130(A)47	130(A)48
130(A)49	130(A)50	130(A)50A
130(A)50B	130(A)51	130(A)52
131(2)5	131C(1)1	143(1)2B
143(3)1	143(3)2	143(A)16
143(A)16B	143(A)16C	143(A)17
143(A)17A	143(A)66	143(A)66A
143(A)67A	143(A)67A1	143(A)68
143(A)69A	143(A)75A	143(A)76
143(A)76A	143(A)76B1	143(A)76B2
143(A)76C	143(A)77	144(1)3
144(A)1	144(A)2	144(A)2A

(P.C. Ord. No. 01-13, 7-25-01)

(b) Bridgewater Aviation Technology Zone

The Bridgewater Aviation Technology Zone shall be located in an area of the county bounded generally on the north by North River, on the west by U.S. Route 42, on the east by U.S. Route 11 and on the south by the Augusta County line. The zone includes the following tax map parcels (as depicted on the county official tax maps on July 1, 2005):

136(A)89	136(A)89A
137(A)33	137(A)36

Sec. 7-74. Economic development grant program.

Qualified technology businesses may apply to the industrial development authority of the county for the economic development grant program as established by the county in the economic development policy.  
(P.C. Ord. No. 01-13, 7-25-01)

Economic Development Grant Program



County of Rockingham, Virginia  
Economic Development Grant Program

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County of Rockingham, Virginia  
Economic Development Policy

Adopted July 31, 2001  
Amended July 13, 2005

Purpose

The Rockingham County Board of Supervisors (“Board”) has determined that the development of its industrial tax base may require the use of incentives to attract certain investment. The Board seeks to encourage the further investment by business and industry currently located, or which may locate, in Rockingham County in an effort to promote a strong, viable economy to provide employment for our citizens. The Board seeks to provide encouragement for business and industry to invest in technological advancements to the manufacturing processes in the construction of new or expanded facilities. The term



“technological” is defined as those improvements in machinery & tools included in new construction or additions that increase the productivity of machines and eliminate manual operations.

The Board will consider the creation of one or more Technology Zones (“Zone”) to establish the geographic boundaries within which such technological advancements shall be made to qualify for the incentive.

### **State Code Authority**

Section 58.1-3850, Code of Virginia, 1950, as amended, grants to any city, county or town the authority to establish one or more technology zones, within which incentives may be offered for investments in technological advancements. With the authority granted to Rockingham County under Section 15.2-953, Code of Virginia, 1950, as amended, a locality may make gifts, donations and appropriations of money to industrial development authorities for the purposes of promoting economic development.

### **IDA Involvement**

The Industrial Development Authority of Rockingham County, Virginia (“Authority”), was established by the Board on November 11, 1972, with such powers as granted under the Industrial Development and Revenue Bond Act as set forth in Chapter 49 of Title 15.2 of the Code of Virginia, 1950, as amended. Paragraphs 12 and 13 of Section 15.2-4905, Code of Virginia, 1950, as amended, permit the Authority to accept contributions, grants and other financial assistance from a political subdivision of the Commonwealth in order to make grants for the furtherance of economic development.

The Authority shall establish an Economic Development Grant program for qualified businesses located in the Zone. Grants to such businesses are subject to the appropriation of funds to the Authority by the Board and will be effective during the tax year in which the initial total investment is taxable as set forth in Section 7-61 of the Rockingham County Code.

### **South Fork Technology Zone**

#### **Policy Guidelines**

1. An annual appropriation, as recommended by the County Administrator and approved by the Board in the annual budget, for the Industrial Development Authority of Rockingham County, Virginia, shall be considered to permit the Authority to make Economic Development Grants to qualified businesses within the Zone.
2. Grants shall be used for investment in technological advancements to machinery & tools in the construction of new or expanded facilities within the Zone. The investments shall meet the criteria established herein.
3. Each individual, firm or corporation within the proposed Zone, applying for an Economic Development Grant shall:
  - (i) in the twenty-four (24) months in which the qualifying investment is made, invest a minimum total of fifty million dollars (\$50,000,000) in new capital investment in machinery & tools and employ at least forty (40) additional persons full time;
  - (ii) remit the full payment of all property taxes owed by such applicant and due to Rockingham County,

including the taxes due on the new capital investment, and;

(iii) cooperate in the verification of the above by Rockingham County. Initial applications may only be made within the investment period, as set forth above in Section 3 (i).

4. Such applicant is eligible to submit for subsequent Economic Development Grants from the Authority for additional new investments in machinery & tools made within the Zone, if such application is made within ten (10) years after such applicant is initially determined eligible for such Economic Development Grant.

Grant Computation

The amount of the annual Economic Development Grant shall be computed by multiplying the Annual Grant Percentage times the tax paid by the qualified zone business for additional, new capital investments in machinery & tools in the Zone for the years after qualification as set forth in the following table:

Tax Year after Qualification	Annual Grant Percentage
1	56%
2	50%
3	43%
4	33%
5	20%

South Fork Map



## Bridgewater Aviation Technology Zone

### Policy Guidelines

1. An annual appropriation, as recommended by the County Administrator and approved by the Board in the annual budget, for the Industrial Development Authority of Rockingham County, Virginia, shall be considered to permit the Authority to make Economic Development Grants to qualified businesses within the Zone.
2. Grants shall be used for investment in technological advancements to machinery & tools and tangible personal property in the construction of new or expanded facilities within the Zone. The investments shall meet the criteria established herein.
3. Each individual, firm or corporation within the proposed Zone, applying for an Economic Development Grant shall:
  - (i) in the five (5) years in which the qualifying investment is made, invest a minimum of two hundred and fifty thousand dollars (\$250,000) in machinery, tools, and tangible personal property (other than aircraft) related to aviation, invest a minimum of one hundred and fifty thousand dollars (\$150,000) in real property improvements consisting of hangars and support shops for aviation-related technologies, and employ an additional ten (10) full-time employees with an average hourly wage of fifteen dollars (\$15);
  - (ii) pay a minimum of twenty thousand dollars (\$20,000) in personal property tax on aircraft for each of the five (5) years in which the qualifying investment is made;
  - (iii) remit the full payment of all property taxes owed by such applicant and due to Rockingham County, including the taxes due on the new capital investment, and;
  - (iv) cooperate in the verification of the above by Rockingham County. Initial applications may only be made within the investment period, as set forth above in Section 3 (i).
4. Such applicant is eligible to submit for subsequent Economic Development Grants from the Authority for additional new investments in machinery & tools made within the Zone, if such application is made within ten (10) years after such applicant is initially determined eligible for such Economic Development Grant.

### Grant Computation

The amount of the annual Economic Development Grant shall be computed by multiplying the amount of personal property tax paid for aircraft owned by the applicant or subsidiary thereof and located in Rockingham County by eighty-four and three-tenths percent (84.3%). Criteria set forth in section three (3) above must be met within five (5) years of the date of application. Applicant must substantiate to the County compliance with such requirements at the end of the five (5) year period. Failure to meet such requirements will result in the applicant repaying the grant amount to Rockingham County. If applicant complies with such requirements within five (5) years from the date of application, the initial grant will be renewed for an additional five (5)-year term. If applicant is in compliance with all requirements at the conclusion of the renewal term, applicant shall be entitled to apply for

additional economic development grants resulting in substantially similar benefits as granted above.



County of Rockingham, Virginia  
Application for Economic Development Grant

A company or identifiable subdivision of a company, or an individual, firm or corporation within a Technology Zone, applying for an Economic Development Grant shall:

- 1. Meet the requirements as outlined in the policy guidelines of the specific technology zone;
- 2. Remit the full payment of all property taxes owed by such applicant and due to Rockingham County, including the taxes due on the new investment, and;
- 3. Cooperate in the verification of the above by Rockingham County. Initial applications may only be made within the investment period, as set forth in the specific technology zone.

To apply for Technology Zone designation, complete this form and return it to the Joseph S. Paxton, County Administrator, Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, VA 22802, (540) 564-3012 or email at [jpaxton@rockinghamcountyva.gov](mailto:jpaxton@rockinghamcountyva.gov).

Technology Zone \_\_\_\_\_

Name of Company  
(applicant) \_\_\_\_\_

Street Address \_\_\_\_\_ Phone ( ) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mailing Address \_\_\_\_\_ Fax ( ) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Title of Authorized Representative \_\_\_\_\_

e-mail address \_\_\_\_\_ Web Site URL \_\_\_\_\_

Federal Identification No. \_\_\_\_\_ SIC Code \_\_\_\_\_

Estimated Value of New Investment \$ \_\_\_\_\_

Timeframe for New Construction/Investment: Date - From \_\_\_\_\_ to \_\_\_\_\_

Current Number of Employees \_\_\_\_\_ Number of New Employees \_\_\_\_\_

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, ALL INFORMATION PRESENTED ABOVE IS CORRECT. I will make available for review by the County Administrator and/or the Commissioner of the Revenue all of the records relevant to information required by this form.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Signature of Authorized Representative Date



**County of Rockingham, Virginia**  
**Application for Economic Development Grant**

**Part I - Please provide a brief overview of planned expansion.**

Part II - Please provide a brief description and schedule of the proposed improvements.



**County of Rockingham, Virginia**  
**Application for Economic Development Grant**

**For Office Use**

Annual Certification

Technology Zone \_\_\_\_\_

Name of Company  
(applicant) \_\_\_\_\_

Street Address \_\_\_\_\_ Phone ( ) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Based on my understanding of the information supplied in this application and any additional information I may have reviewed, the applicant company.

- ☐ is hereby certified for Year 1 as a qualified Technology Zone business as defined by the Rockingham County Code.
- ☐ would not qualify for inclusion in the technology zone as defined by the County Code.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
County Administrator Date

I hereby certify that the applicant company has no outstanding taxes due to the City.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Commissioner of the Revenue Date

Effective Date of Tax Abatement: ☐ January 1 ☐ April 1 ☐ July 1 ☐ October 1

(First quarter after date of application if already located in the County or first quarter after company is located in the County. For example, if approved April 30, July 1 would be the first eligible quarter for the program.)

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Without objection, the Board authorized staff to publish a notice of intent to consider an amendment to section 17-200 of the Zoning Ordinance regarding the ability of the Zoning Administrator to grant variances in certain cases. Since this is an amendment to the Zoning Ordinance, the Board referred the proposed amendment to the Planning Commission for a recommendation and public hearing.

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On motion by Supervisor Breeden, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board authorized staff to publish a notice of intent to consider an ordinance to amend and reordain Sections 6A-6 and 6A-7 of the Rockingham County Code to revise certain precinct boundaries within Election District No. 1 to establish separate precincts for the Town of Broadway and the Town of Timberville, and to establish a new precinct to be named Plains Precinct with its polling place at the Plains District Community Center.

Chairman Cuevas asked that the residents of District 1 be notified by mail as soon as possible.

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**FINANCE DIRECTOR'S STAFF REPORT.**

Mr. Allmendinger provided information concerning an analysis of fines and forfeitures collected by the City of Harrisonburg, the County of Rockingham and the Towns in the County for the most recent three years. He provided correspondence from the sheriff's office identifying the number of inmates held on local ordinances or local warrants. This was information requested by the Board at the last meeting.

On motion by Supervisor Breeden, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; as recommended by the Finance Committee, the Board agreed to transfer \$75,000 from the General Fund Reserve to the School Textbook Fund, from School Board funds left over at the end of last year.

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**PUBLIC WORKS DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Ms. Hoover's staff report dated July 8, 2005, including information concerning Penn Laird Drive and Water Tower Road sewer (staff soon to contact property owners for easements); Lakewood/Massanetta Springs pump station (start up of pumps scheduled for July 11); McGaheysville WWTP (draft submitted); Spotswood High School Water Tank(a few minor items remaining), Phase III expansion of the landfill; Grassy Creek Tank (work on schedule), City of Harrisonburg Waste to Energy Plant, water connections, and Countryside (some restoration issues remaining).

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**COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Vaughn's staff report dated July 13, 2005, including information concerning building inspections, Bridgewater building permit and inspection program, Erosion and Sediment Control proposed amendments, Planning Commission activities, Board of Building Appeals vacancy, priority projects underway, tabled requests, and upcoming requests.

Concerning Federal Government's consideration of remapping the flood plain areas, Chairman Cuevas asked staff to follow up on this matter and to endeavor to get the County's flood plain maps as accurate as possible.

On motion by Supervisor Ahrend, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board removed from the table proposed amendments to Chapter 6, and approved amendments to the Erosion and Sediment Control Ordinance.

On motion by Supervisor Ahrend, seconded by Supervisor Floyd and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the following amendments to the Erosion and Sediment Control Ordinance.

Chapter 6B of the Rockingham County Code, Erosion and Sediment Control. 6B-2 Definitions:

Adequate Channel - A water course that will convey a chosen frequency storm event without overtopping its banks or causing erosive damage to the bed, banks, and overbank sections of the same. In Rockingham County, the adequacy of channels and pipes shall always be demonstrated by hydraulic analysis utilizing standard engineering methods. The adequacy of channels and pipes shall not be verified by demonstrating that the total drainage area to the point of analysis within the channel is one hundred times greater than the contributing drainage area of the project in question.

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#### **INFORMATION SYSTEMS DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. O'Byrne's staff report dated July 7, 2005, including information concerning personnel, projects and equipment.

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#### **HUMAN RESOURCES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Riddlebarger's staff report dated July 13, 2005, including information concerning health insurance, dental insurance and the Section 125 Plan.

He reported that staff had concluded the RFP process for employee Health Insurance coverage and recommended the County's current carrier, Southern Health Services, Inc. He pointed out that the process resulted in an overall increase in premium dollars of 4.5%. In an effort to impact the rising cost of health care and prescription drug insurance, he noted that staff, along with the County's consultant, Mr. Jerry Sheets of BB&T Shomo & Lineweaver, carefully reviewed the options and, in order to keep the expenditures to a reasonable level and have a health care plan that is similar to but still slightly better than most



of the larger employers in the market area, recommended the following changes to the current plan:

- Increase the out of pocket maximum from \$1000/\$2000 to \$1500/\$3000.
- Change the drug card from \$10/\$20/\$35 to \$5/\$25/\$45.
- Implement a pre-authorization procedure for high priced drugs.
- Change the specific stop loss limits to \$100,000 on any one claimant.
- Change the vision benefit hardware limit from \$175 per year to \$200 for two years.

He noted that staff also recommended modifying the coverage types or levels for employees from the current three levels - employee only, employee plus one (either spouse or child), and employee with family coverage. He pointed out a growing need and desire to offer a new Employee and Child type. The following shows the new premiums for the four types of coverage.

Employees hired before 9/1/96:

<u>Type of Coverage</u>	<u>Employee Premium</u>	<u>County Premium</u>	<u>Total Premium</u>
Employee Only	\$ 0.00	\$351.37	\$351.37
Employee & Spouse	\$173.72	\$586.72	\$760.44
Employee & Child	\$141.00	\$477.36	\$618.36
Employee & Family	\$256.00	\$758.47	\$1,014.47

Employee hired after 9/1/96:

<u>Type of Coverage</u>	<u>Employee Premium</u>	<u>County Premium</u>	<u>Total Premium</u>
Employee Only	\$ 41.10	\$310.27	\$351.37
Employee & Spouse	\$205.30	\$555.14	\$760.44
Employee & Child	\$167.00	\$451.36	\$618.36
Employee & Family	\$297.24	\$717.23	\$1,014.47

On motion by Supervisor Breeden, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the staff recommendations concerning employee health insurance and authorized the County Administrator to sign any related documents.

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In regard to dental insurance, Mr. Riddlebarger reported that United Concordia submitted a renewal for the dental insurance plan that allows the County to eliminate the original start-up type coverage involving a three-year tiered-benefit plan, and replace it with a plan that pays the maximum benefit during the first year. He noted that the level of benefits in this new "Concordia Flex Option 3" is equal to the third year under the current plan, Concordia Select II. He pointed out that a three-year tiered plan increases benefit payments each year until the third year when benefits reach the maximum benefit level. He stated that employees pay the same premium for less coverage for the first and second year versus the third year, and employees are reluctant to join the plan because of the lower first- and second-year benefits.

He reported that staff discovered during the last RFP process in 2002 that other dental insurance companies refused to quote on the three-year tiered plan, and he also reported that Mr. Sheets knew of no other companies in the local labor market area offering dental insurance with a three-year tiered plan. He noted that Mr. Sheets also believed that the County's plan was mature and the claims per member would not be adversely impacted by making this change. He pointed out that the County will have to RFP the dental insurance next year and, by making this change now, it would be in a better position to shop the coverage.

The increase in premium by changing to this new plan would 8.5%. Employees pay 100% of the cost of the dental insurance.

Employee Monthly Premiums:

<u>Type of Coverage</u>	<u>Monthly Premium</u>
Employee Only	\$25.98
Employee & Spouse	\$48.34
Employee & Child	\$48.34
Employee & Family	\$76.48

On motion by Supervisor Breeden, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the staff recommendations regarding dental insurance and authorized the County Administrator to sign any related documents.

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Mr. Riddlebarger presented an updated Section 125 Plan, also known as the "Rockingham County Cafeteria Plan." The plan was adopted in 1992 and revised in 1999. He noted that there have been a number of new requirements placed on these types of plans by the federal government and that most of the new requirements could be described as required language changes that meet the COBRA and HIPPA legislative changes.

He reviewed staff's recommendation to change the amount of money an employee may set aside from his/her pay to help cover medical or other health related expenses. Currently the plan permits up to \$2,500 per plan year, an amount which has been in effect since 1999. He noted staff's recommendation to raise the health area reimbursement limit to \$4,000. This amount gives consideration to the rise in the cost of health care expenses since 1999 and will help employees that may have a concern about reaching the new out-of-pocket maximum, co-pays on prescription drugs, insurance plan deductibles and non covered medical items.

On motion by Supervisor Ahrend, seconded by Supervisor Floyd and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the staff recommendations regarding the Section 125 Plan and

authorized the County Administrator to sign the related documents on behalf of the Board.

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**FIRE & RESCUE CHIEF'S STAFF REPORT.**

The Board received and reviewed Chief Symons' staff report dated July 7, 2005, including information on personnel, training, prevention activities, public education and other activities.

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**RECREATION & FACILITIES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Eberly's staff report dated July 7, 2005, concerning facilities and, recreation programs.

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**COMMITTEE REPORTS.**

The Board heard Committee Reports by Board members and staff.

The Board received the following recommendation from the Public Works Committee and staff.

**1. Water System Analysis**

Draper Aden has submitted an Agreement for Professional Services to include a Preliminary Engineering Report to analyze the existing Three Springs Water System and possible future water sources. Key elements of the evaluation will include raw water, treatment, distribution, and storage, relative to anticipated industrial and residential growth over the next 20 years. This will include looking at other water sources (quantity and quality), future water demands, evaluation of existing water supply and distribution facilities, storage capacity, pumping capacity and distribution system capacity. The lump sum amount is \$46,600. The schedule is tentatively to have a final report by the end of January 2006. Staff started looking into this issue in the fall of 2004 and then tabled the study due to discussions of partnering with the City and having a regional water system. Staff feels this study needs to move forward as the County is currently at 50% treatment capacity. This item was not budgeted. The Committee and staff recommend approving the agreement

with Draper Aden in the amount of \$46,600 with funding to come from the water and sewer reserve. A supplemental appropriation of \$46,600 is required to 401-04401.

On motion by Supervisor Breedon, seconded by Supervisor Ahrend and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDON - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the recommendations of the Public Works Committee and staff.

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**TRANSFER OF CART OPERATIONS.**

Mr. Paxton commended the Director of Social Services and his staff on their excellent performance in transferring the CART operations to the Social Services Department.

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**TABLED REQUEST - RZ05-17, REQUEST OF COSNER DEVELOPMENT, INC., C/O RANDY COSNER.**

In regard to the Cosner Development rezoning request, tabled by the Board at the last meeting, Chairman Cuevas reported that the developer had made several proffers concerning screening and the types of uses that would be made of the property. Noting that the request was for a site across the road from Broadway Metal Works and facing Route 42, he stated that it seemed to be a reasonable request. He asked for a motion to bring the matter off the table.

On motion by Supervisor Ahrend, seconded by Supervisor Floyd and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDON - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board removed the request from the table.

On motion by Supervisor Ahrend, seconded by Supervisor Floyd and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDON - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved, with the following proffers, RZ05-17, request of Cosner Development, Inc., c/o Randy Cosner, P O Box 609, Broadway, to rezone 1.23 acres from M2 (Light Industrial) to R3-C (General Residential with Conditions) and 3.13 acres from M2 (Light Industrial) to B2-C (Rural Business Service with Conditions). The site is located north of the intersection of Harpine Highway (Route 42) and Early Drive (Route 1415), Election District

1. It is proffered that the R-3 rezoned land will be used for single-family detached or duplex dwellings only.

2. The lots will be served by public water and sewer provided by the Town of Broadway.
3. An evergreen landscaped/tree buffer will be provided along all proposed B-2 property lines abutting on residential property.
4. Proposed lighting for B-2 to utilize cut-off style fixtures with a maximum foot-candle distribution of 0.5 at property lines.
5. The proposed B-2 zoning to limit the following:  
  
Limit the hours of operation from 5:00 a.m. to 10:00 p.m.
6. It is also proffered that no pawn shop, swap shop, fruit packaging plant, auto service station- fuel pumps excepted from enclosure, machine, welding, or blacksmith shop, machine sales or service, auto sales lot, auction sale, livestock sales pavilion, circus carnival, fair, sideshow, music festival, tent meeting of a temporary nature or flea market.
7. All building fronts shall be on Route 42.

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**CLOSED MEETING.**

On motion by Supervisor Breeden, seconded by Supervisor Ahrend and carried by a vote of 4 to 0: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; and KYGER - ABSENT; the Board recessed the meeting from 5:20 p.m. to 6:15 p.m. for a closed meeting pursuant to Section 2.2-3711(A)3 re acquisition of real property for a public purpose, 5 for discussion of a prospective business where no previous announcement has been made and 7 for consultation with legal counsel.

At 6:15 p.m., Chairman Cuevas called the meeting back to order and the following motion was adopted.

MOTION: SUPERVISOR BREEDEN RESOLUTION NO: X05-06  
SECOND: SUPERVISOR AHREND MEETING DATE: JULY 13, 2005

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such

public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:  
AYES: AHREND, BREEDEN, CUEVAS, FLOYD  
NAYS: NONE  
ABSENT: KYGER

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**ADJOURNMENT.**

By consensus, the Board adjourned the meeting at 6:15 p.m.

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Chairman